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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/785,175	02/20/2001	Shigeru Fujita	024304-00000	2341

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EXAMINER

CHANKONG, DOHM

ART UNIT	PAPER NUMBER
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2152

DATE MAILED: 10/21/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/785,175

Applicant(s)

FUJITA, SHIGERU

Examiner

Dohm Chankong

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 18 August 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-4 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-4 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

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DETAILED ACTION

1> Applicant's amendment was received 8.18.2004. Claims 1-4 are presented for examination.

Drawings

2> The amended drawing was received on 8.18.2004. This drawing is acceptable.

Response to Arguments

3> Applicant's arguments filed 8.18.2004 have been fully considered but they are not persuasive.

Applicant's main argument is that Castor fails to disclose or suggest the invention as claimed; specifically, Applicant argues that Castor does not disclose the features: "at least one of said clients is operable in standalone fashion and has server functionality so that it executes data processing in response to requests issued by other clients and outputs the results of the data processing to said clients that issued such requests".

In regards to this argument, Examiner would like to refer Applicant to [column 13 «lines 34-44»] of the Castor patent and specifically: "...each of computers...shares via network disk drive 46, which is attached to computer 26...Computer 26 is referred to as the "remote file server" and computers 22 and 24 are referred to as "local computers". The computers pointed out in this passage and as seen in Figure 1 are clients, while one of the client computers is designated as a file server which services the requests for data from the shared network disk drive. After processing the request, the file server computer outputs the

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requested data to the client computer. Further support of this assertion can be seen in [column 4 «lines 7-10»]: "The operation system, programs and data necessary to operate the first computer are stored on the second computer, which is known as the file server" and [column 6 «lines 2-4 and 20-27»].

In addition, Applicant amended claims 1 and 3 to now include "data processing". This clearly does not overcome the Castor patent as Castor refers several times throughout the specification that his system is well-suited for data processing applications.

For these reasons, the 35 U.S.C § 103 rejections are maintained.

Claim Rejections - 35 USC § 103

4> The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5> Examiner apologizes for any confusion in regards to referring to U.S Patent No. 5,590,288 as Moderi et al, when in fact, the patent was granted to Castor et al.

6> Claims 1 and 3 are rejected under 35 U.S.C § 103(a) as being unpatentable over Castor et al, U.S Patent No. 5,590,288 ["Castor"] in view of Lum, U.S Patent No. 6,272,529.

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7> As to claim 1, Castor teaches a distributed processing system comprising a plurality of clients, wherein at least one of said clients is operable in standalone fashion and has server functionality so that it executes processing in response to requests issued by other clients and outputs the results of the processing to said clients that issued such requests [abstract | Figure 1 | column 3 «line 47» to column 4 «line 21» | column 13 «lines 34-44»].

Castor does not teach that the clients are linked in series.

8> Lum teaches that clients in a distributed processing system can be linked in series [column 2 «lines 53-58» | column 5 «lines 31-36»]. It would have been obvious to one of ordinary skill in the art at the time the invention was made to connect Castor's clients in series so that the clients can be freely integrated and removed from the system without the need for reconfiguring or rebooting the system.

9> As to claim 3, Castor teaches a plurality of clients, wherein at least one of said clients is operable in standalone fashion and has server functionality so that it executes processing in response to requests issued by other clients and outputs the results of the processing to said clients that issued such requests [abstract | Figure 1 | column 3 «line 47» to column 4 «line 21» | column 13 «lines 34-44»].

Castor does not teach that the clients are linked in series.

10> Lum teaches that clients can be linked in series [column 2 «lines 53-58» | column 5 «lines 31-36»]. It would have been obvious to one of ordinary skill in the art at the time the

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invention was made to connect Castor's clients in series so that the clients can be freely integrated and removed from the system without the need for reconfiguring or rebooting the system.

11> Claims 2 and 4 are rejected under 35 U.S.C § 103(a) as being unpatentable over Moderi and Lum as applied to claims 1 and 3 above, in further view of Moderi et al, U.S Patent No. 5,510,979 ["Moderi"].

12> As to claim 2, Castor does not specifically teach a distributed processing system wherein processing of a POS application in a POS client having the server functionality includes at least one of the following: product registration, product search, transaction aggregation per transaction, tax aggregation per transaction, discount per target product, designation of payment method, settlement, transaction history registration, and operator authentication and registration.

13> Moderi teaches a distributed processing system wherein processing of a POS application in a POS client having the server functionality includes at least one of the following: product registration, product search, transaction aggregation per transaction, tax aggregation per transaction, discount per target product, designation of payment method, settlement, transaction history registration, and operator authentication and registration [column 13 «lines 19-46» | column 15 «line 19» to column 16 «line 40»]. It would have been obvious to one of ordinary skill in the art at the time the invention was made to include

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Moderi's security and authentication functionality into Castor's distributed processing system so that employee identification information can be stored in a central location but accessed from multiple terminals.

14> As to claim 4, Castor does not specifically teach clients wherein processing of a POS application in a POS client having the server functionality includes at least one of the following: product registration, product search, transaction aggregation per transaction, tax aggregation per transaction, discount per target product, designation of payment method, settlement, transaction history registration, and operator authentication and registration.

15> Moderi teaches clients wherein processing of a POS application in a POS client having the server functionality includes at least one of the following: product registration, product search, transaction aggregation per transaction, tax aggregation per transaction, discount per target product, designation of payment method, settlement, transaction history registration, and operator authentication and registration [column 13 «lines 19-46» | column 15 «line 19» to column 16 «line 40»]. It would have been obvious to one of ordinary skill in the art at the time the invention was made to include Moderi's security and authentication functionality into Castor's clients so that employee identification information can be stored in a central client but accessed from multiple connected client.

Conclusion

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16> **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dohm Chankong whose telephone number is (703)305-8864. The examiner can normally be reached on 8:00AM - 5:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Follansbee can be reached on (703)305-8498. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

DC



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